

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL**

**MUMBAI BENCH**

**COMPANY APPLICATION NO 80 OF 2017**

In the matter of Section 66 of the Companies Act 2013  
and the Rules framed there under

AND

In the matter of Reduction of Share Capital of Adata  
Technology India Private Limited

Adata Technology India Private Limited, )  
Company incorporated under the provisions )  
of companies Act 1956 having its registered )  
office at Lotus Corporate Park, A- 801, )  
Jay Coach Lane, Off Western Express Highway, )  
Goregaon (E) Mumbai Mumbai City MH 400063 IN )  
CIN NO: U72400MH2007PTC173967 ) .....Petitioner

Mr. Ajinkya Kurdukar i/b. Ajinkya Kurdukar & Co., Advocates for the Petitioner Company

Called for Admission


CORAM: B.S.V.Prakash Kumar, Member (Judicial)

V. Nallasenapathy, Member (Technical)



DATE: 20th June 2017

1. Petition admitted.
2. Petition fixed for hearing on 3<sup>rd</sup> October 2017.
3. The learned Counsel for the Petitioner submits that this is a Petition for confirmation of a Special Resolution for alteration of memorandum of association by reducing the share capital of the Petitioner Company from INR 27,54,05,500 ( consisting of 2,75,40,550 Equity Shares of INR 10 each fully Paid-up) reduced to INR 2,04,05,500 (consisting of 20,40,550 Equity Shares of INR 10 each fully Paid-up) since the equity Share capital so reduced is in excess of the wants of the company. The said special resolution was passed by the Company in its Extra Ordinary General Meeting held on January 10, 2017.
4. The learned Counsel for the Petitioner submits that there are no secured or unsecured creditors of the company.
5. The Applicant Company is also directed to serve notices along with copy of scheme upon :- (i) Registrar of Companies, Mumbai (ii) to the Central Government, that they may submit their representations, if any, within a period of three months from the date of receipt of such notice to the Tribunal with copy of such representation shall simultaneously be served upon the Petitioner Company, failing which , it shall be presumed that they have no representation to make on the proposal.
6. Within 7 days from this Order, Applicant Company to publish notice of the date of hearing of Petition as required under NCLT (procedure for reduction of share capital Rules 2016) in 'Free Press Journal ' in English Language and translation thereof in 'Navshakti' in Marathi language both having circulation in State of Maharashtra.
7. The Applicant Company is to file affidavit in this Tribunal not later than 7 days from the date of issuance of such notices as stated in paragraph 5 &6 above and publication of the notices.



V. Nallasenapathy, Member (T)



B.S.V. Prakash Kumar, Member (J)